

Report to Housing Commission

HB 2175 – Special Flood Hazard Areas

HB 2728 – Ownership of a Dam

HB2175 – Special Flood Hazard Areas

- Current law includes provisions for “buyer beware” if a property is located in a special flood hazard area.
 - Special flood hazard areas correspond to the 100-year floodplain; are designated on locality’s floodplain map issued by FEMA
- HB2175 proposed changing this to a required disclosure for owner to provide a prospective purchaser, or landlord to provide to a prospective tenant, that the property is located in a special flood hazard area.

HB2175 – Special Flood Hazard Areas

- Disclosures would increase public safety by:
 - Raising awareness of the consequences of renting or purchasing a particular property
 - Allowing for more informed decisions that may carry significant financial and personal investments
 - Ensuring flood insurance could be purchased, if needed, prior to closing date or move-in date

HB2175 – Special Flood Hazard Areas

- A committee substitute proposed a different approach of strengthening “buyer beware” provisions of existing law by advising purchasers to review floodplain maps, to contact FEMA or visit website, and to review DCR’s Flood Risk Information System

HB2728 – Ownership of a dam

- Current law provides for “buyer beware” of properties located in dam break inundation zone
- HB2728 would have added a provision related to ownership, condition and/or regulatory status of an impounding structure or dam
 - Allowing for more informed decisions that may carry significant financial and personal investments

HB2728 – Ownership of a Dam

- In many instances, property is bought without the purchaser knowing that they were assuming ownership/responsibility of a dam through:
 - The homeowners association the property owner is required to join; or
 - The location of the dam on the property being purchased
 - Lack of knowledge of regulatory responsibilities of dam ownership
- Disclosures would increase public safety by:
 - Reducing instances where purchaser unknowingly becomes an owner
 - Allowing for more informed decisions that may carry significant financial and personal investments

Breakdown of Ownership category by Regulated Dams (2,034 Dams)

- 1,058 Private Dam Ownership (Individual / HOA)– 52%
- 163 Local Government Dam Ownership – 8%
- 104 Soil & Water Conservation District Dam Ownership – 5%
- 82 State Government Dam Ownership – 4%
- 61 Public Utility Dam Ownership – 3%
- 570 Unknown Dam Ownership – 28%